

1 MICHAEL COSENTINO, SBN 83253  
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3 Telephone: (510) 523-4702

4 Attorney for Plaintiff  
United States of America  
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FILED  
08 JUL -7 PM 12:44  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 UNITED STATES OF AMERICA

NO. C07-4565 SLM

11 Plaintiff,

DECLARATION FOR  
JUDGMENT ON DEFAULT

12 v.

13 Rosie L. Adams aka Rosie L. Payton aka Laverne R. Adams  
14 Defendant.  
\_\_\_\_\_ /

15 I, MICHAEL COSENTINO, declare:

16 1. I am the attorney for the plaintiff in the above-entitled action.

17 2. This declaration is made on behalf of plaintiff.

18 3. From the files and records and other information in this case, declarant is informed and  
19 believes that the defendant's place of residence is at 1936 85th Ave., Oakland, CA 94621.

20 4. Defendant is not an infant or incompetent person and not in the military service of the  
21 United States within the meaning of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended,  
22 or otherwise entitled to the benefits of said Act.


23 5. Subsequent to the date of the Certificate of Indebtedness, a copy of which is attached hereto  
24 and made a part hereof as Exhibit A, \$0.00 in payments have been made to the account; there is now  
25 due and owing to the plaintiff from the defendant the sum of \$4,967.39 principal, plus \$5,958.52  
26 additional interest, \$0.00 administrative costs, \$45.00 court costs, and \$1,490.22 as attorney fees.

27 WHEREFORE, declarant requests that judgment be entered on behalf of the plaintiff and  
28 against the defendant in the sum of \$12,461.13 plus post judgment interest at the legal rate per

1 annum, pursuant to the provisions of 28 USC Sec. 1961(a), which will be compounded annually  
2 pursuant to the provisions of 28 USC Sec. 1961(b).

3 I declare under penalty of perjury that the foregoing is true and accurate to the best of my  
4 knowledge, information and belief.

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6 Dated: June 26, 2008

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MICHAEL COSENTINO  
Attorney for the Plaintiff

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24 DECLARATION FOR JUDGMENT OF DEFAULT

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U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS

Rosie L. Adams  
aka Rosie Adams, Rosie L. Payton  
aka Laverne R. Adams, L Adams  
1936 85th Ave  
Oakland, CA 94621  
Account No. 3755

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 12/14/06.

On or about 12/09/86, and 11/24/87, the borrower executed promissory note(s) to secure loan(s) of \$2,000.00 and \$2,625.00, from Glendale Federal Savings at 8.00 percent interest per annum. This loan obligation was guaranteed by California Student Aid Commission and then reinsured by the Department of Education under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et. seq. (34 CFR Part 682). The holder demanded payment according to the terms of the note(s), and credited \$30.70 to the outstanding principal owed on the loan(s). The borrower defaulted on the obligation on 06/29/93, and the holder filed a claim on the guarantee.

Due to this default, the guaranty agency paid a claim in the amount of \$4,967.39 to the holder. The guarantor was then reimbursed for that claim payment by the Department under its reinsurance agreement. The guarantor attempted to collect the debt from the borrower. The guarantor was unable to collect the full amount due, and on 08/05/03, assigned its right and title to the loan(s) to the Department.

Since assignment of the loan, the Department has received a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any. After application of these payments, the borrower now owes the United States the following:

Principal	<u>\$4,967.39</u>
Interest:	<u>\$5,349.34</u>
Administrative/Collection Costs:	<u>\$0.00</u>
Late Fees:	<u>\$0.00</u>
Total debt as of <u>12/14/06</u> :	<u>\$10,316.73</u>

Interest accrues on the principal shown here at the rate of \$1.09 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 1/9/07

Name: Linda Gantelace  
Title: Loan Analyst  
Branch: Litigation

EXHIBIT A